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7 *Attorneys for Defendants*
8 *SmileDirectClub, LLC*
9 .

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 CYRUS S. WHITTAKER, individually on
13 behalf of myself,

14 Plaintiff,

15 vs.

16 SMILEDIRECTCLUB, LLC; ZACHARY
17 POTTS, D.D.S.; MICHAEL GUIRGUIS,
18 D.D.S.; DOES 1 through 10; and ROE
ENTITIES 11 through 20, inclusive,

19 Defendants.
20

CASE NO.: 2:21-cv-01019-RFB-BNW

STIPULATION AND ORDER TO
DISMISS SMILEDIRECTCLUB, LLC
WITH PREJUDICE

21
22 IT IS HEREBY STIPULATED and agreed by and between Plaintiff, CYRUS S.
23 WHITTAKER, and Defendant SMILEDIRECTCLUB, LLC, by and through Plaintiff and
24 Defendant's counsel of record that:

- 25 1) Any and all claims by Plaintiff against Defendant SMILEDIRECTCLUB, LLC related to
26 this matter in any court, jurisdiction or venue shall be dismissed in their entirety, with
27 prejudice;
28 2) This dismissal resolves all remaining claims as to all remaining parties; and

3) Defendant SMILEDIRECTCLUB, LLC shall be dismissed, with prejudice, with Plaintiff and Defendant to bear their own attorneys' fees and costs.

IT IS SO STIPULATED.

DATED: September 22, 2021

PLAINTIFF, IN PRO PER

By: /s/ Cyrus Whittaker
CYRUS S. WHITTAKER (PLAINTIFF)
Nevada Bar No. 14965
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Los Angeles, CA 90024
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DATED: September 22, 2021

HALL PRANGLE & SCHOONVELD, LLC

By: /s/ Tyson J. Dobbs
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ORDER

IT IS HEREBY ORDERED that:

- 1) Any and all claims by Plaintiff against Defendant SMILEDIRECTCLUB, LLC related to this matter in any court, jurisdiction or venue are dismissed in their entirety, with prejudice;
- 2) This dismissal resolves all remaining claims as to all remaining parties; and
- 3) Defendant SMILEDIRECTCLUB, LLC is hereby dismissed, with prejudice, with Plaintiff and Defendant to bear their own attorneys' fees and costs.

IT IS SO ORDERED.



RICHARD F. BOULWARE, II
United States District Judge
DATED this 23rd of September, 2021